

MINUTES
(Roxio Recording Is Available)
BOARD OF ZONING APPEALS
JANUARY 17, 2013
LAKEWOOD CITY HALL

PRE-REVIEW MEETING
6:00 P.M.
LAW CONFERENCE ROOM

- A. Review docket items.

REVIEW MEETING
6:30 P.M.
AUDITORIUM

1. Roll Call.

Members Present

Cynthia Bender
Kyle Krewson, Vice Chairman
Jennifer Matousek
James Nagy, Chairman
Samuel O'Leary

Others Present

Mary Leigh, Secretary, DCD Programs Manager, P&D
Jeff Fillar, Asst. Bldg. Comm., Residential
Kevin Butler, Assistant Law Director

2. Approve Minutes of the November 13, 2012 special meeting.

A motion was made by Mr. O'Leary, seconded by Mr. Krewson, to **APPROVE** the minutes of the November 13, 2012 special meeting. All of the members voting yea, the motion passed.

3. Approve Minutes of the November 15, 2012 meeting.

A motion was made by Mr. O'Leary, seconded by Mr. Krewson, to **APPROVE** the minutes of the November 15, 2012 meeting. All of the members voting yea, the motion passed.

4. Introduction and Oath of new Board member, Samuel T. O'Leary.

Mr. O'Leary swore the oath as issued by Ms. Leigh. Mr. O'Leary's term commenced on January 1, 2013 and will expire December 31, 2017.

5. Opening Remarks.

Ms. Leigh read the Opening Remarks.

NEW BUSINESS

6. Docket 01-01-13

12966 Clifton Boulevard
12966 Clifton, LLC

Andy Mazzella, 12966 Clifton, LLC, applicant and property owner, requests approval for a variance to increase the roof height, pursuant to Section 1123.05 – Height Regulations. The existing building already exceeds the 35 foot maximum height. This property is located in an R2 - Single and Two Family, High Density district. (Page 2)

Cindy Stockman, Stockman Architecture, 1053 Maple Cliff Drive, and Andy Mazzella, 12966 Clifton, LLC, applicant and property owner, were present to explain the request. Because the ceiling was higher on the third floor, the owner wanted to add a loft with access to the flat roof. The proposal showed the roof did not exceed the height of the existing ridge of the gable. She read a definition and offered her interpretation of building height as per the zoning code; 1103-02(q). She felt there was no need for a variance because the proposal was for the side of the building, not the front, and. Mr. Fillar explained the non-conforming building was in an R2 district that had a 35 foot maximum allowance; the subject building roof already exceeded the allowable at about 37 feet, six inches in height. Ms. Stockman said it would not be visible to anyone except from the Carlyle; the green tile would remain. Mr. Mazzella explained the rear area of the parapet had been replaced last year and was exhibiting water damage area, so they decided to modify the structure and install a new ridge beam. This would allow for better maintenance, less water damage.

Charles Clark, 12951 Lake Avenue, wanted to know how deep the structure would extend to the rear and felt it would set precedence if allowed. He had been told the roof area would be used a rooftop patio by the tenants, and he opposed the proposal. Mr. Nagy said the discussion was for a height variance, not rooftop use.

Mr. Fillar said it would extend north approximately 16 feet.

Antonio Calvo, 12951 Lake Avenue, was opposed to the proposal.

Mr. Mazzella said one would not see any difference from the front of the building. He added the interior of the building had been rebuilt.

Mr. Krewson said the variance would not detract from the building or be visible. Mr. Nagy concurred.

A motion was made by Mr. Nagy, seconded by Ms. Matousek, to **GRANT** the request as submitted. All of the members voting yea, the motion passed.

**7. Docket 01-02-13 15617 Detroit Avenue
Arberia, LLC**

David G. Clifford, Advantegrity, applicant, requests approval for a variance for five (5) parking spaces, pursuant to section 1143.05 – Schedule of Uses and Space Requirements. This property is located in a C2, Commercial and Retail District. (Page 15)

David G. Clifford, Advantegrity, applicant, was present to explain the request. Lakewood Brew as a new business concept; the concept was for it to be a Coffee House with an Entrepreneurial Brew on Premise.

Mr. Fillar said the Division of Housing and Building did not have any objections.

Mr. Clifford stated the existing 17 credited spots included the metered public parking and other spaces within a one block distance (Arthur Avenue near the library, Detroit Avenue in front of CVS, and side streets). If needed, valet and shuttle service for Lakewood residents would be conducted from the front of the business.

Sean McDermott, President of LakewoodAlive, spoke in support of the variance. He said he had not heard any comments from surrounding business owners regarding the proposed business.

Ms. Bender asked about the hours of operation. Mr. Clifford said it would be open as a coffee shop in the morning and open in the afternoon and evening as a brew on premises with weekend closing hours of 1:00 a.m. or 2:00 a.m.

Mr. Fillar assured the Board that number of seating would not exceed 85, as per the proposal.

A motion was made by Mr. O'Leary, seconded by Ms. Bender, to **GRANT** the request as submitted. All of the members voting yea, the motion passed.

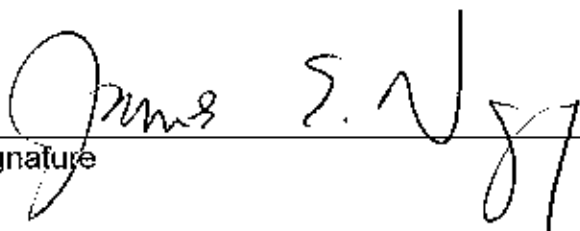
8. Election of Officers.

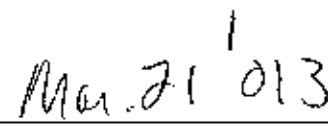
A motion was made by Ms. Matousek, seconded by Ms. Bender, to **ELECT** Mr. Nagy as Chairman. All of the members voting yea, the motion passed.

A motion was made by Ms. Matousek, seconded by Ms. Bender, to **ELECT** Mr. Krewson as Vice Chairman. All of the members voting yea, the motion passed.

9. Adjourn.

A motion was made by Ms. Bender, seconded by Mr. Krewson, to **ADJOURN** the meeting at 6:55 P.M. All of the members voting yea, the motion passed.


Signature


Date



Oath

I, the undersigned, hereby agree that the testimony I give at this proceeding will be the truth, the whole truth and nothing but the truth:

PRINT NAME:

SIGN NAME:

1. CINDY STOCKMAN
2. Andy Mazzella
3. Charles Clark
4. A. Calvo
5. DAVE CUFFORD
6. Sean McDermott
7. _____
8. _____
9. _____
10. _____
11. _____

Cindy R. Stockman
Andy Mazzella
CHARLES CLARK
2951 LAKE AVE
[Signature]
[Signature]

Prepared by: The City of Lakewood Law Department, 12650 Detroit Ave., Lakewood, Ohio 44107

FOR CITY USE ONLY

Lakewood Administrative Procedure: ☐ ABR/BBS/Sign ☐ Citizens Advisory ☐ Civil Service ☐ Dangerous Dog
☐ Income Tax Appeals ☐ Loan Approval ☐ Nuisance Abatement Appeals ☐ Planning ☒ Zoning Appeals ☐ Other:

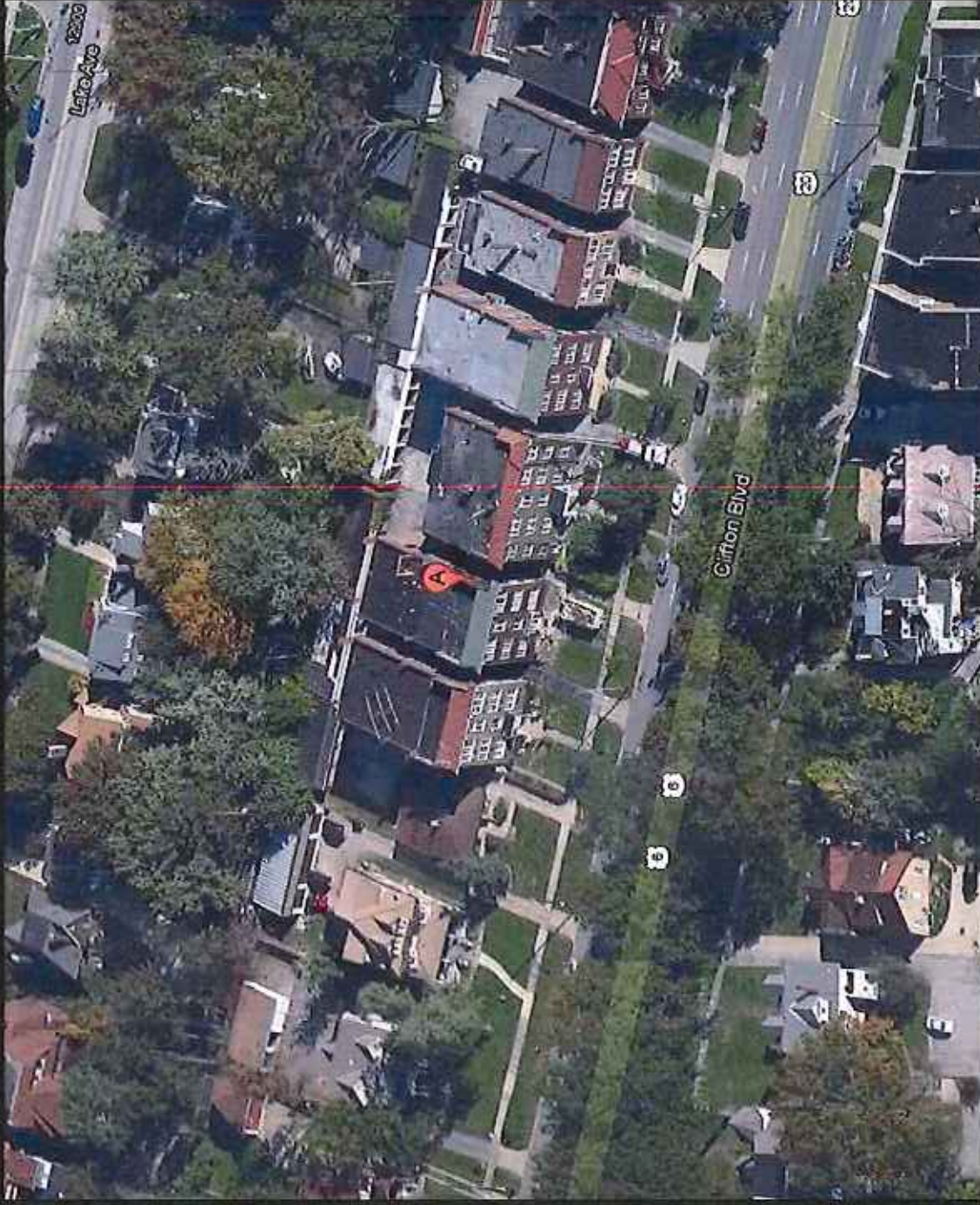
Date of Proceeding: Thursday, January 17, 2013



Board of Zoning Appeals

January 2013





BZA January 2013

12966 Clifton Boulevard
12966 Clifton LLC



BZA January 2013

12966 Clifton Boulevard
12966 Clifton LLC



**12966 Clifton Boulevard
12966 Clifton LLC**

BZA January 2013



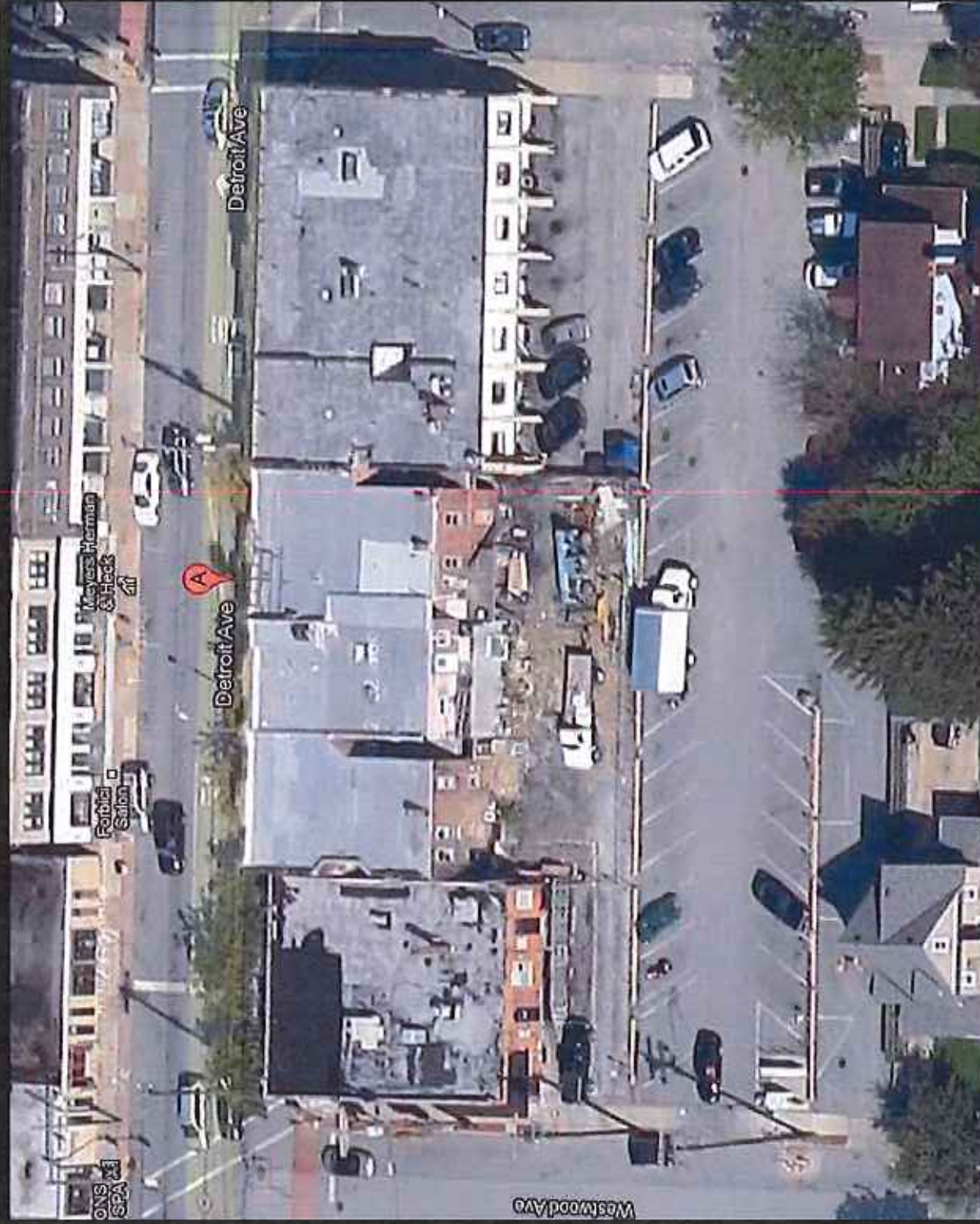
EZA January 2013

12966 Clifton Boulevard
12966 Clifton LLC



12966 Clifton Boulevard
12966 Clifton LLC

EZA, January 2013



15617 Detroit Avenue
Arberia, LLC

BZA January 2013



BZA January 2013

15617 Detroit Avenue
Arberia, LLC



15617 Detroit Avenue
Arberia, LLC

BZA, January 2013



15617 Detroit Avenue
Arberia, LLC

BZA January 2013



Board of Zoning Appeals

January 2013

